

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

DISTRICT OF NEW HAMPSHIRE

Case number (if known) \_\_\_\_\_

Chapter you are filing under:

☒ Chapter 7☐ Chapter 11☐ Chapter 12☐ Chapter 13☐ Check if this an amended filing

## Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **M&K Complex, a Limited Partnership**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) **02-0522736**

4. Debtor's address **Principal place of business**

**85 Locust Street  
South Hampton, NH 03827**

Number, Street, City, State & ZIP Code

**Rockingham**

County

**Mailing address, if different from principal place of business**

**c/o Registered Agent, Timothy W. Johnson  
85 Locust Street  
South Hampton, NH 03827**

P.O. Box, Number, Street, City, State & ZIP Code

**Location of principal assets, if different from principal place of business**

**920 Lafayette Road Seabrook, NH 03874**

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) \_\_\_\_\_

6. Type of debtor

☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership

☒ Other. Specify: **Limited Partnership**

**7. Describe debtor's business** A. *Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53AB))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80a-3)

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.naics.com/search/>.

\_\_\_\_\_

**8. Under which chapter of the Bankruptcy Code is the Debtor filing?***Check one:*

- ☒ Chapter 7
- ☐ Chapter 9

☐ Chapter 11. *Check all that apply:*

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operation, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor _____	Relationship to you _____
District _____	When _____ Case number, if known _____

**11. Why is the case filed in this district?***Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** *(Check all that apply.)*☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other \_\_\_\_\_**Where is the property?** \_\_\_\_\_

Number, Street, City, State &amp; ZIP Code

**Is the property insured?**☐ No☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information****13. Debtor's estimation of available funds***Check one:*☐ Funds will be available for distribution to unsecured creditors.☒ After any administrative expenses are paid, no funds will be available to unsecured creditors.**14. Estimated number of creditors**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

**Request for Relief, Declaration, and Signature**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 2, 2015  
MM / DD / YYYY

**X /s/ Timothy W. Johnson**  
Signature of authorized representative of debtor  
  
Title Manager

**Timothy W. Johnson**  
Printed name

**18. Signature of attorney**

**X /s/ Michael A. Tucker**  
Signature of attorney for debtor

Date **December 2, 2015**  
MM / DD / YYYY

**Michael A. Tucker**  
Printed name

**Healey, Deshaies, Gagliardi & Woelfel, PC**  
Firm name

**24 Market Street**  
**Amesbury, MA 01913**  
Number, Street, City, State & ZIP Code

Contact phone 978-388-1787 Email address kb@hdgpc.com

**20178; BNH07145**  
Bar number and State

**Fill in this information to identify the case:**Debtor name M&K Complex, a Limited PartnershipUnited States Bankruptcy Court for the: DISTRICT OF NEW HAMPSHIRE

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filingOfficial Form 202**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule* \_\_\_\_\_
- ☐ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 2, 2015**X /s/ Timothy W. Johnson**

Signature of individual signing on behalf of debtor

**Timothy W. Johnson**

Printed name

**Manager**

Position or relationship to debtor

**United States Bankruptcy Court  
District of New Hampshire**

In re **M&K Complex, a Limited Partnership**

Debtor(s)

Case No.

Chapter

**7**

**VERIFICATION OF CREDITOR MATRIX**

I, the Manager of the Limited Partnership named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **December 2, 2015**

**/s/ Timothy W. Johnson**

**Timothy W. Johnson/Manager**

Signer/Title

Name	Address1	Address2
Annette Gonthier-Kiely, Esq.	10 Federal Street	Suite 401
Cleveland, Waters and Bass, P.A.	ATTN: Timothy E. Britain	Two Capital Plaza
Law Offices of Steven B. Stein	ATTN: David J. Donovan	60 South Street
M&K Complex, a Limited Partnership	ATTN: Timothy W. Johnson, Registered Ag	85 Locust Street
Patricia C. Johnson Bascom	52 Elmwood Street	
Seabrook Commons LLC	34 Meadowood Drive	P.O. Box 2637
TD Banknorth, N.A.	370 Main Street	
Timothy W. Johnson	34 Meadowood Drive	

Address3	City	State	Zip
Salem	Salem	MA	1970
P.O. Box 1137	Concord	NH	03302-1137
Suite 100	Boston	MA	2111
	South Hampton	NH	3827
	Salisbury	MA	1952
	Exeter	NH	3833
	Worcester	MA	1608
	Exeter	NH	3833



Annette Gonthier-Kiely, Esq.  
10 Federal Street  
Suite 401  
Salem  
Salem, MA 01970

Cleveland, Waters and Bass, P.A.  
ATTN: Timothy E. Britain  
Two Capital Plaza  
P.O. Box 1137  
Concord, NH 03302-1137

Law Offices of Steven B. Stein  
ATTN: David J. Donovan  
60 South Street  
Suite 100  
Boston, MA 02111

M&K Complex, a Limited Partnership  
ATTN: Timothy W. Johnson, Registered Ag  
85 Locust Street  
South Hampton, NH 03827

Patricia C. Johnson Bascom  
52 Elmwood Street  
Salisbury, MA 01952

Seabrook Commons LLC  
34 Meadowood Drive  
P.O. Box 2637  
Exeter, NH 03833

TD Banknorth, N.A.  
370 Main Street  
Worcester, MA 01608

Timothy W. Johnson  
34 Meadowood Drive  
Exeter, NH 03833

**United States Bankruptcy Court**  
**District of New Hampshire**

In re **M&K Complex, a Limited Partnership**

Debtor(s)

Case No.

Chapter

**7**

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept .....	\$	<u><b>2,500.00</b></u>
Prior to the filing of this statement I have received .....	\$	<u><b>2,500.00</b></u>
Balance Due .....	\$	<u><b>0.00</b></u>

2. The source of the compensation paid to me was:

☒ Debtor      ☐ Other (specify):

3. The source of compensation to be paid to me is:

☒ Debtor      ☐ Other (specify):

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- [Other provisions as needed]

**Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods, motions and matters related to the petition as well as adversary proceedings associated with the discharge of the debtor and/or the dischargeability of any particular debt.**

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**This agreement does not contemplate representation in adversary proceedings outside of paragraph 5 above.**

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

**December 2, 2015**

*Date*

**/s/ Michael A. Tucker**

**Michael A. Tucker 20178; BNH07145**

*Signature of Attorney*

**Healey, Deshaies, Gagliardi & Woelfel, PC**

**24 Market Street**

**Amesbury, MA 01913**

**978-388-1787 Fax: 978-388-9727**

**kb@hdgpc.com**

*Name of law firm*